

21

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

LASZLO CSIKI
DEFENDANT

CASE NO. 19-20256

HON. ROBERT H. CLELAND

V.

UNITED STATES OF AMERICA
PLAINTIFF

EMERGENCY MOTION FOR COMPASSIONATE RELEASE/
REDUCTION MY SENTENCE PURSUANT TO 18 U.S.C. § 3582(C)(1)(A)

NOW COME DEFENDANT LASZLO CSIKI APPEARING PROSE,
INMATE AT St. Clair County JAIL FED. NO #57473-039, ROMANIAN
CITIZEN WITH PERSONAL IDENTIFICATION NO. 1850730260076
SUBMITS THIS MOTION FOR COMPASSIONATE RERELEASE PURSUANT
TO 18 U.S.C. 3582(C)(1)(A) THE CURRENT CONDITIONS OF
CONFINEMENT AT St. Clair County PRESENTS AN IMMINENT
THREAT OF DEATH OR SERIOUS BODILY INJURY FROM THE
NOVEL CORONAVIRUS, PRESENTING EXTRAORDINARY AND
COMPELLING REASONS TO MODIFY DEFENDANTS 54
MONTH TERM OF IMPRISONMENT.

POOR QUALITY ORIGINALS

EXTRAORDINARY AND COMPELLING CIRCUMSTANCES

MY PREEXISTING MEDICAL CONDITIONS HIGH BLOOD PRESSURE, ASTHMA, OBESITY, TUMOR RIGHT POSTERIOR SCALP, LOW TESTOSTERONE, DEPRESSION-ANXIETY PLACE ME AT A HEIGHTENED RISK OF CONTRACTING AND DEVELOPING COMPLICATIONS ASSOCIATED WITH COVID 19 INFECTION, THESE RISK ARE EXACERBATED BY MY PLACEMENT IN CONFINEMENT. I WILL BE TRANSPORTED TO NEW FACILITIES, WILL PUT ME AT FURTHER RISKS FOR EXPOSURE TO THE DEADLY DISEASE WITH DEVASTATING CONSEQUENCES TO MY HEALTH. I HAVE BEEN ON LOCK DOWN SINCE THE PANDEMIC BEGAN CONSEQUENTLY I AM CONFINED TO MY CELL 23-24 HOUR PER DAY IMPAIRING MY ABILITY TO ENGAGE IN REGULAR EXERCISE TO PREVENT AND CONTROL MY OBESITY. I AM 5'8 TALL 237 LBS BMI 36 (BODY MASS INDEX) I WAS WEIGHED BY THE NURSES ELECTRIC SCALE ON 11/14/2020 UNFORTUNATELY MEDICALLY IS CLASSIFIED AS OBESE. EVEN WITHOUT THE PRESENCE OF OTHER HEALTH CONDITIONS OBESITY ALONE IS THE MOST SIGNIFICANT RISK FACTOR REGARDLESS OF AGE INCREASES RISK OF SEVERE ILLNESS FROM COVID 19. IN FEB. 5/2020 SANILAC COUNTY JAIL MEDICAL COLLECTED BLOOD FROM ME AND MEASURED MY TESTOSTERONE LEVEL WHICH WAS LOW VALUE 226 REF. RANGE/UNITS A HEALTHY MALE BETWEEN THE AGE OF: 20-49 THE TESTOSTERONE LEVEL VALUE IS BETWEEN 160-726 ng/dL. I HAVE NEVER RECEIVED TREATMENT FOR IT. MAY. 20/2020 I WAS TAKEN TO HOSPITAL TO ECHO MY RIGHT POSTERIOR SCALP TUMOR, THE DOCTOR SCHEDULED ME FOR SURGERY BUT I WAS TRANSFERRED

ON SEPTEMBER 16/2020 TO ST. CLAIR COUNTY JAIL WITHOUT ANY REASON AND NOW I AM SUFFERING FROM SLEEPLESSNESS PAIN AND DISCOMFORT BECAUSE I WAS UNABLE TO RECEIVE THIS SURGERY.

I HAVE TO START THE ENTIRE PROCESS ALL OVER BUT I CANNOT BECAUSE MY CURRENT FACILITY DOES NOT OFFER THESE SERVICES.

THE SERVICES THAT ARE OFFERED AT THIS FACILITY ARE SUB-STANDARD AND ARE NOT BENEFICIAL TO ME IN ANY WAY AND BECAUSE OF

THIS MY HEALTH IS DETERIORATING. I WOULD LIKE TO INCLUDE SOME OF THE EXAMPLES OF THE GRIEVANCES I HAVE FILED

WITHOUT ANY SORT OF RESOLUTION: MED. KITE NO. 104844533

Oct. 14/2020 17:00 PM "LAST NIGHT AROUND 2-3 AM I WOKE UP

BECAUSE I COULDN'T BREATHE I USED THE INHALER BUT STILL

WASN'T ABLE TO CATCH MY BREATHE," (THE OFFICER WHO WAS

WORKING TOLD ME TO WRITE A MED. KITE) AFTER 5 DAYS

THE NURSE ASKED ME IF I AM OK. MED. KITE #106428943

Oct. 30/2020 12:08 PM "IN 10/29/2020 I ASKED A REFILL OF

ALBUTEROL INHALER BECAUSE I HAVE ASTHMA STILL DIDN'T RECEIVED

IT! MEDICAL GRIEVENCE #106624233 NOV. 1/2020 14:52 PM

"I NEED MY ALBUTEROL INHALER I AM OUT OF IT I NEED TO USE IT

AND I AM OUT OF IT SINCE 10/29/2020", MEDICAL GRIEVENCE

#106901053 NOV. 03/2020 20:55 PM "I NEED MY INHALER

TODAY I FELT THAT I AM SUFFOCATING BECAUSE I HAD

SHORTNESS OF BREATHE I HAD TO USE SOMEBODY'S INHALER!!!

I NEED MY INHALER!!!". I WROTE A GRIEVENCE TO THE

SARGENT #106786593 NOV. 2/2020 10:09 AM "I HAVE MODERATE

TO SEVERE ASTHMA I HAVE DAILY ASTHMA SYMPTOMES THAT

REQUIRE DAILY USE OF ALBUTEROL TREATMENT I HAVE BEEN REQUESTING A ALBUTEROL INHALER REFILL SINCE 10/29/2020 STILL DIDN'T RECEIVED ANYTHING. TODAY 11/02/2020 STILL DIDN'T RECEIVED ANY REFILL OF MY MEDICATION ST. CLAIR COUNTY JAIL DENIES MY TREATMENT AND MY RIGHT TO HAVE ACCESS TO MY MEDICATION WHICH WAS PRESCRIBED BY A DOCTOR. FOR THIS REASON I AM GRIEVING AND SUFFERING BECAUSE I CANNOT GET MY PRESCRIBED MEDICATION FOR MY ASTHMA UNDERLYING MEDICAL CONDITION". MED. KITE #103875153 Oct. 05/2020 12:26PM I WAS COMPLAINING ABOUT MY TUMOR ON MY HEAD THAT IT BOTHERS ME WHEN I AM SLEEPING, NO RESOLUTION. MED. KITE #106043203 Oct. 26 19:58 I WAS ASKING TO SEE A DOCTOR CONCERNING MY TUMOR ON THE BACK OF MY HEAD BECAUSE IT'S HURTING AND UNCOMFORTABLE AND I AM WORRIED ABOUT IT, TODAY NOV. 16 NO RESOLUTION. I AM DEPENDENT ON THE STAFF WHO DIDN'T PROVIDE ME MY INHALER IN TIME, NONE OF THE MEDICAL STAFF WEAR MASK, WE DO NOT HAVE ANY ALCOHOL BASED SANITIZER, NO ONE CLEANS OR DISINFECTS FREQUENTLY TOUCHED SURFACES SEVERAL TIMES PER DAY, SOCIAL DISTANCING IS IMPOSSIBLE WE USE THE SAME SINK, SAME TOILETS, SAME SHOWERS WITH NO WAY TO PROPERLY SANITIZE AND DISINFECT. I AM HOUSED IN A POD WITH ICE. IMMIGRANTS THAT OFTEN LEAVE TO BE ARRAIGNED DOWNTOWN AT THE FEDERAL BUILDING. DURING THESE TRANSPORTS INMATES ARE ABLE TO PHYSICALLY INTERACT WITH OTHER NEWLY DETAINED INMATES AT THE FEDERAL BUILDING. UPON THEIR RETURN THESE ST. CLAIR COUNTY JAIL INMATES

ARE NOT BEING RETESTED FOR COVID 19. EXAMPLE NOV 4 /2020 CORNER HERRERA EVER AND VIZCARRA LOPEZ ADELMO WERE IN A-POD WITH ME AND THEN TRANSPORTED TO THE FEDERAL BUILDING FOR ARRAIGNMENT. THERE THEY WERE ABLE TO INTERACT WITH PEOPLE NOT FROM ST. CLAIR COUNTY JAIL INCLUDING PEOPLE ARRESTED THAT SAME DAY, WHEN THEY RETURNED FROM COURT THEY WERE NOT RETESTED FOR COVID 19. I AM ALSO HOUSED WITH COUNTY INMATES WHO ATTEND CLASSES INSTRUCTED BY THOMAS MICHAEL DRUG AND ALCOHOL TEACHER WHO WAS TESTED POSITIV FOR COVID 19 ON OCTOBER /27 /2020.

I AM UNABLE TO GET TREATMENT FOR MY HEAD TUMOR, ST. CLAIR COUNTY JAIL IS INCAPABLE OF MANAGING IN TIME MY REFILL OF ALBUTEROL INHALER FOR MY ASTHMA, DUE TO THE LOCK DOWN I CANNOT CONTROL MY OPESITY. MY CURRENT CONDITIONS OF CONFINEMENT PRESENTS AN IMMINENT THREAT OF DEATH OR SERIOUS BODILY INJURY FROM THE NOVEL CORONAVIRUS.

BASED UPON THE FACT THAT I HAVE AN IMMIGRATION HOLD I WILL NOT RECEIVE THE BENEFIT OF A PLACEMENT IN COMMUNITY CORRECTIONS, I WILL BE DEPORTED TO ROMANIA UPON RELEASE, I WILL LIKELY FIRST SERVE ADDITIONAL TIME IN IMMIGRATION DETENTION BEFORE THAT REMOVAL OCCURS.

AS THE SIXTH CIRCUIT HAS SUMMARIZED THE COVID 19 -VIRUS IS EXTREMELY CONTAGIOUS AND CONDITIONS FAVOR ITS MORE RAPID TRANSITION IN DETENTION OR CORRECTIONAL FACILITIES." SEE United States v. You, NO. 205390, 2020 WL 3867419, at *1 (6th Cir. Apr. 22, 2020). COURTS HAVE GRANTED COMPASSIONATE RELEASE TO UNDOCUMENTED

DEFENDANTS UNDER SIMILAR CIRCUMSTANCES SEE *United States v. Morrison*, 2020 WL 3447757, at *6 (D. Md. June 24, 2020), HE WOULD BE RELEASED TO ICE OR CBP CUSTODY AFTER RELEASE TO BE DEPORTED TO JAMAICA, SEE *United States v. Amecola-Bretado*, 2020 WL 2535049, at *1, 4 (S.D. Cal. May 15, 2020) REDUCING DEFENDANT'S SENTENCE TO TIME SERVED BASED ON HER INELIGIBILITY FOR RELEASE TO HOME CONFINEMENT BECAUSE SHE WOULD BE DEPORTED.

FAMILY CIRCUMSTANCES — ONLY AVAILABLE CAREGIVER FOR MY MOTHER LIVIA CSIKI. AFTER MY FATHER PAST AWAY IN 2017 MY MOTHER SUFFERED A SEVERE COGNITIVE DEFICIT THAT AFFECTED HER MENTAL CAPACITY AND FUNCTION BECAUSE OF HER LOSS. MY BROTHER CSABA CSIKI WAS TAKING CARE OF MY SICK OLD MOTHER UNTIL HIS LAST UNEXPECTED DEATH DAY, HE PAST AWAY IN OCTOBER 13, 2019 AT THE AGE OF 39. MY MOTHER LIVES ALONE NOW WITHOUT A CAREGIVER DESPITE HER DEBILITATING, LIFE THREATENING DISEASES. CSABA CSIKI MADE SURE LIVIA CSIKI OBTAINED MEDICATION, WAS TRANSPORTED TO MEDICAL APPOINTMENTS, COOKED FOOD FOR HER, CLEANED HER HOME CARED FOR HER PHYSICALLY WELL BEING, NOW SHE HAS NO OTHER FAMILY TO RELY UPON FOR ASSISTANCE. LIVIA CSIKI'S INABILITY TO WALK A BLOCK AT REASONABLE PACE HER INABILITY TO CARRY OUT ROUTINE AMBULATORY ACTIVITIES SUCH AS SHOPPING AND BANKING TOOK HER TO THE CURRENT PRECARIOUS SITUATION THAT SHE IS ABOUT TO LOSE HER HOME AND HAS NOWHERE TO LIVE AND NO ONE TO RELY UPON. MY CIRCUMSTANCES IS SIMILAR TO MS. BUCCI'S CIRCUMSTANCE, MS. BUCCI IS THE "ONLY AVAILABLE CAREGIVER OF HIS MOTHER" SEE *ANTHONY BUCCI* NO. 04-10194-WGY, 09/16/2019,

WL 5075964, ~~SEE~~ United States v. Sabirhan Hasanoff No. 10-CR-162(KMW) NY. Oct. 27, 2020 GRANTED FOR COMPASSIONATE RELEASE.

ALSO SEE: United States v. Rodriguez, NO. 3:17-CR-4477-BTM, WL 4592833, at *1 (S.D. Cal. Aug. 5, 2020); see WOOLEN v. United States No. 1:13-CR-00471-SOM, 2020, WL 2820140, at *5 (D. Haw. May 29, 2020) see United States v. Cisneros, No. 1:99-CR-00108-SOM, 2020 WL 3065103, at *3 (D. Haw. June 9, 2020) GRANTING MOTION FOR COMPASSIONATE RELEASE FOR PETITIONERS SUFFERING FROM ASTHMA AND OBESITY.

IT IS AXIOMATIC THAT ONE NEED NOT EXHAUST ADMINISTRATIVE REMEDIES THAT WOULD BE FUTILE OR IMPOSSIBLE TO EXHAUST *Sigh v. Ashcroft*, 362 F.3d 1164, 1169 (9th Cir. 2004). I AM UNABLE TO EXHAUST MY ADMINISTRATIVE REQUIREMENT BECAUSE I AM BEEN HELD IN A NON-BOP FACILITY. THERE IS NO APPROPRIATE AUTHORITY AT ST. CLAIR COUNTY JAIL TO WHOM A REQUEST COULD BE MADE § 3582(c). THE COURT CAN ENVISION NO SITUATION MORE FUTILE THAN BEING REQUIRED TO PETITION TO A BOP WARDEN WHO DOES NOT EXIST. see *United States v. Amreda-Bretado*, 2020 WL 2535049, at *2 (S.D. Cal. May 15, 2020). THE SENTENCING COURT RECOMMENDED ME TO PARTICIPATE IN INMATE FINANCIAL RESPONSABILITY PROGRAM (IFRP) UNFORTUNETLY I HAVE NO ACCESS TO THOSE SERVICES, NON CITIZEN INMATES ARE GIVEN FAR LESS OPPORTUNITY TO PARTICIPATE IN REHABILITATIVE PROGRAMMING AS WELL POOR HEALTH SERVICES. I HAVE BEEN ASSESSED THE LOWEST LEVEL OF RISK BY THE INSTITUTION WHERE I AM BEEN HELD, I AM ATTENDING PTSD CLASSES SINCE 10.4.2020.

UPON MY RELEASE I WILL LIVE WITH MY MOTHER IN

ROMANIA, CITY TARGU MURES COUNTY MURES AT THE ADDRESS
CONSTRUCTORILOR ST. 9/7 I WILL TAKE UP THE CARE-TAKING
RESPONSABILITIES FOR MY MOTHER AND SPEND WHAT TIME SHE
HAS LEFT WITH HER. ALSO I WILL WORK LIKE A PERSONAL
TRAINER AT GYM FACTORY THE OWNER IS HIRING ME ASAP.
CONTACT NO. 8102589180 I WILL HELP MY MOTHER TO PAY
HER DEBT TO THE BANK SO SHE CAN KEEP HER PLACE
TO LIVE, IN AUGUST I WILL REAPPLY TO LAW SCHOOL. I HAVE
PREVIOUSLY COMPLETED FOUR SEMESTERS, UPON COMPLETION
I WILL EVENTUALLY WORK IN THE LEGAL FIELD.

I ATTACHED COPIES OF MEDICAL DOCUMENTS BIRTH
AND DEATH CERTIFICATES. I AUTHORIZE THE BOP
BUREAU OF PRISON TO OBTAIN ANY INFORMATION OR
DOCUMENTS FROM ANY INDIVIDUAL, MEDICAL ENTITY
OR DOCTOR OR ANY GOVERNMENT AGENCY ABOUT
DEFENDANT LASZLO CSIKI.

CERTIFICATE OF SERVICE

I LASZLO CSIKI CERTIFY THAT THIS MOTION
WAS MADE ON NOVEMBER / 17 / 2020 UPON THE
FOLLOWING PARTIES BY FIRST CLASS MAIL
ADDRESSED TO THE FOLLOWING:

HON. JUDGE ROBERT H. CLELAND
FEDERAL BUILDING AND UNITED STATES COURTHOUSE
526 WATER STREET, 2ND FLOOR
PORT HURON, MI 48060

SARA D. WOODWARD
ASSISTANT UNITED STATES ATTORNEY
211 W. FORT ST. SUITE 2001
DETROIT, MI 48226

JESSICA K. WINTERS
THE WINTERS LAW GROUP
432 S BROADWAY SUITE 2B
LEXINGTON, KY 40508

LASZLO CSIKI
Billi

SOCIALIST REPUBLIC OF ROMANIA
 TIRGU MUREŞ MUNICIPALITY PEOPLE'S COUNCIL
 EXECUTIVE COMMITTEE

BIRTH CERTIFICATE

Personal Identification Number

1	8	5	0	7	3	0	2	6	0	0	7	6
S	A	A	L	L	Z	Z	N	N	N	N	N	C

Surname: CSIKI
 First name: LASZLO
 Sex: male
 Date of birth:
 Year: 1985 (nineteen eighty five)
 Month: July
 Day: 30 (thirty)

PLACE OF BIRTH OF THE CHILD

Municipality: TIRGU MUREŞ
 County: MUREŞ
 Series: N D No. 071458

PARENTS

Father's family name: CSIKI
 Father's first name: ALEXANDRU
 Mother's family name: CSIKI
 Mother's first name: LIVIA

PLACE OF REGISTRATION

Municipality: TIRGU MUREŞ
 County: MUREŞ

The birth was registered in the Civil Register of Vital Records under nmb.2553 on year 1985 (nineteen eighty five), month August, day 13 (thirteen)

Mentions: /

Issued today 13 August 1985 under no. 56799

Signature, seal place [illegible signature, illegible round official seal of the Civil Register]

Issued Family Record Book on 6 November 1997 [illegible signature, round illegible seal]

I, the undersigned, GOGYAN ERZSEBET, certified interpreter and translator for English, French, Italian languages, in virtue of License No. 5858 from July 26th, 2004, issued by the Ministry of Justice of Romania, I certify the accuracy of the translation made from Romanian into English, that the presented text has been entirely translated, without any omission, and in the translation its content and meaning has not been altered



COVENANT
HealthCare
Laboratory Services
1447 N. Harrison Saginaw MI 48602
989-583-6742 Fax: 989-583-6745
CovenantLab.com

Patient:
Cziki, Laszlo 127-53-77
M. 39 yrs. 4/22/1980
45478 DESHON ST, UTICA MI 48317

Recipient: McKenzie Health System
120 N. Delaware St
Sandusky MI 48471
Fax #: 810-648-3454

Testosterone Total (Final result)

	Value	Ref. Range/Units
Testosterone-Total	22b	180-750 ng/dL
Females:		
Ovulating - Not Detected - 73 ng/dL		
Post Menopausal - Not Detected - 43 ng/dL		
Males:		
20 - 49yrs 160 - 726 ng/dL		
>50yrs 129-767 ng/dL		

Resulting Lab: Houghton Lab

Blood specimen 2014-03SC1624 from Blood Unspecified Ordered by Lewis, Michael Kent, NP. Authorized by Lewis, Michael Kent, NP
Collected 2/4/2020 1413 Received 1507 Verified 2/5/2020 1006 Resulted by Houghton Lab

Resulting Labs

Houghton Lab COVENANT LABORATORY, 1000 Houghton, Saginaw MI 48602
Director: Stockman, David L, MD

Final Report McKenzie Health System 120 N. Delaware St
Sandusky Michigan 48471

2019 WL 5075964

Only the Westlaw citation is currently available.
United States District Court, D. Massachusetts.

UNITED STATES of America,
v.

Anthony BUCCI, Defendant.

CRIMINAL ACTION No. 04-10194-WGY

Filed 09/16/2019

Attorneys and Law Firms

Jennifer Hay Zacks, John T. McNeil, Nathaniel R. Mendell,
S. Theodore Merritt, United States Attorney's Office, Boston,
MA, for United States of America.

ORDER

WILLIAM G. YOUNG, DISTRICT JUDGE

*1 This Court may grant an inmate's motion for a reduction of his term of imprisonment if "extraordinary and compelling reasons warrant such a reduction." 18 U.S.C. § 3582(c)(1)(A) (i). Congress has not specified the circumstances that qualify as "extraordinary and compelling reasons" except to state that a reduction pursuant to this provision must be "consistent with applicable policy statements issued by the Sentencing Commission." *Id.* § 3582(c)(1)(A).

In commentary to guidance it issued prior to Congress's passage of the First Step Act, the Sentencing Commission defined four circumstances in which "extraordinary and compelling reasons" for a sentence reduction exist. U.S.S.G. § 1B1.13 n.1. For one, the Sentencing Commission specified that "[t]he death or incapacitation of the caregiver of the defendant's minor child or minor children" or "[t]he incapacitation of the defendant's spouse or registered partner when the defendant would be the only available caregiver for the spouse or registered partner" is an "extraordinary and compelling reason[]." *Id.* § 1B1.13 n.1(C). The Sentencing Commission further provided that a defendant may be entitled to a sentence reduction if, "[a]s determined by the Director of the Bureau of Prisons, there exists in the defendant's case an extraordinary and compelling reason other than, or in connection with, the reasons described in subdivisions (A) through (C)" of that application note. *Id.* § 1B1.13 n.1(D).

There has been some dispute about how courts ought interpret this guidance now that the First Step Act modified the role of the Bureau of Prisons in the compassionate release process. Compare *United States v. Cantu*, No. 1:05-CR-458-1, 2019 WL 2498923, at *4, 2019 U.S. Dist. LEXIS 100923 at *6-12 (S.D. Tex. June 17, 2019) (holding that requiring the Bureau of Prisons to determine when additional extraordinary or compelling reasons exist after the passage of the First Step Act "would contravene the explicit purpose of the new amendments"), with *United States v. Lynn*, No. 89-0072-WS, 2019 WL 3805349, at *4, 2019 U.S. Dist. LEXIS 135987, at *7-11 (S.D. Ala. Aug. 12, 2019) (holding that Sentencing Commission's pre-First Step Act guidance binds courts unless and until the Commission chooses to amend it to decide that the Bureau of Prisons should no longer "be the gatekeeper regarding the residual category of extraordinary and compelling reasons for compassionate release").

This Court agrees with Judge Hornby of the District of Maine that interpreting the Sentencing Commission's guidance on compassionate release today begins with the premise that "[t]he First Step Act did not change the statutory criteria for compassionate release, but it did change the procedures, so that the Bureau of Prisons is no longer an obstacle to a court's consideration of whether compassionate release is appropriate." *United States v. Fox*, No. 2:14-CR-03-DBH, 2019 WL 3046086, at *3, 2019 U.S. Dist. LEXIS 115388 at *5 (D. Me. July 11, 2019). Therefore, the most sensible interpretation of the Sentencing Commission's guidance in light of Congress's recent statutory amendments is that "the Commission's existing policy statement provides helpful guidance on the factors that support compassionate release, although it is not ultimately conclusive." *Id.*; see also *United States v. Beck*, No. 1:13-CR-186-6, 2019 WL 2716505, at *5-6, 8-9, 2019 U.S. Dist. LEXIS 108542 at *14-16, 22-25 (M.D.N.C. June 28, 2019) ("Read in light of the First Step Act, it is consistent with the old policy statement and with the Commission guidance more generally for courts to exercise similar discretion as that previously reserved to the [Bureau of Prisons] Director in evaluating motions by defendants for compassionate release.").

*2 Mr. Bucci's circumstances are similar to those that the Sentencing Commission specifically articulated as examples of "extraordinary and compelling reasons" in its policy guidance. See U.S.S.G. § 1B1.13 n.1. Mr. Bucci is the "only available caregiver," *id.* § 1B1.13 n.1(C)(ii), for an ailing, close member of his family: his mother. See Mot. Release 18

U.S.C. § 3582(c)(1)(A)(i) ("Mot. Release") 7-8, ECF No. 656 & Ex. 1, Supp. Documentation 14-17, ECF No. 656-1; Letter Rosemarie Keefe, ECF No. 657. This Court sees no reason to discount this unique role simply because the incapacitated family member is a parent and not a spouse.

While surely many inmates share the plight of having an incapacitated spouse or partner at home, the Sentencing Commission has made clear that courts ought consider that circumstance an "extraordinary and compelling reason" for compassionate release only when the defendant is the "only available caregiver" for him or her. U.S.S.G. § 1B1.13 n.1(C) (ii). When a defendant is the "only available caregiver" for an incapacitated parent (perhaps a more unique occurrence given that inmates may have siblings or other family members able to care for their parents), then, it is likewise an "extraordinary and compelling" reason warranting compassionate release. But see United States v. Ingram, No. 2:14-cr-40, 2019 WL 3162305, at *2, 2019 U.S. Dist. LEXIS 118304, at *4-5 (S.D. Ohio July 16, 2019) (denying compassionate release to defendant to care for ill mother because "[m]any, if not all inmates, have aging and sick parents").

This Court rules that Mr. Bucci's role as the only potential caregiver for his ailing mother is an "extraordinary and compelling reason" for compassionate release. See U.S.S.G. § 1B1.13(1)(A). Further, the documents submitted to the Court show that he has demonstrated rehabilitation through his substantial time in prison, including by devoting much of his time to care for terminally ill inmates. See Mot. Release 10-11; Supp. Documentation 18, 25-26; Anthony Bucci Compassionate Release Pet. Letter Recommendation, ECF No. 658. Thus, this Court GRANTS Mr. Bucci's motion to reduce his sentence pursuant to section 3582(c)(1)(A)(i) of title 19 of the United States Code, ECF No. 656. The Clerk shall promptly set a hearing for Mr. Bucci's resentencing in accordance with this order.

SO ORDERED.

All Citations

--- F.Supp.3d ----, 2019 WL 5075964

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

Memor

My name is Csiki Livia with the address Aleea: Constructorilor Bl. 7 Ap 9 in the city of Targu-Mures, born in 02.03.1952 in the Municipality Gheorgheni County of Harghita with the ID Nr. 2520302264367 (SN) Born in a family of intellectuals with a mother school teacher and a father Officer in the Army. I followed my Mother's footsteps and I became a school teacher, my husband a Master in preparing special installations in the domain of water and gas, Engineer he had a large number of employees under his command with a lot of responsibility. Our sons were raised on the base principal of Morale and Christian. Both kids finished the Professional school, High School, Vocational and Post Secondary Education my youngest son Csiki Laszlo did gymnastics he attained gold, silver, bronze medals also a lot of diplomas in his sport career. He prepared to be a Lawyer went to Law school. Like every young man in the beginning of his road made a mistake and he pays for the consequences. The family injured hard when he left across the Ocean. My husband sick with severe heart disease also paralyzed past away in 2017. He was immobilized to bed 7 Years. I took care of him with my oldest son. His loss after 14 Years of marriage lead to a lot of suffering and tears. The tears of pain didn't dry another tragedy followed my oldest son past away he was only 39 Years old. Your Honor as a grieving mother in pain who's crying because her husband and son past away, and also my

youngest son Csiki Laszlo who is far away from me. By myself alone with Anxious depressive disorder Mourning depression, with heart disease, hypertension, Hypothyroidism, I am helpless, I don't have anyone besides him. Your Honor I believe and I hope in your goodness and understanding. Next to my memoir I attach the death certificates of my loved ones also my medical letters which proves my situation and my poor health. I want my son back home.

With my thanks and respect
Signature of Csiki Lina

Memorie

Numere meu loc. Livia eadomiciliul în
 Needi Constructorilor bl. 4 Ap 9 Mun. Targu-Mures
 nascuta la 02.03.1962 in Loc. Gheorgheni jud.
 Harghita curne. CNP 2520302264664. Provindintr-o
 familie de intelectuali mama invatatoare totfel
 ofiter in armata. Am urmat exemplul mamei
 devenind profesor, tanosul meu maestru cu
 pregatiri speciale in instalatii apa-gaz, pe post
 de inginer cu multii carmeni sub conducerea lui
 si multa responsabilitate. Pe fii nostri i-am
 crescut pe baza unor principii morale si
 crestinesti. Ambii copii au urmat si terminat
 se. Profesionala fierii se. Tehnica mai mult
 fiul meu cel mic loc. Targu un gimnastament
 cu medali de aur, argint, bronz precum si
 multe diplome de merit. Sa pregatit sa
 devina avocat urmind tanosul totfel de drept
 dar ca fiecare tanos la inceput de drum
 a grezit suportand consecintele. Familia
 a suportat foarte greu plecarea lui peste
 Ocean. Sotul meu bolnav grav de inima si
 paralizat a decedat in anul 2014. Astat
 mobilizat la post tanide zile. I-am ingrijit
 impropria cu fiul meu cel mare. Pierderea
 lui dupa 44 ani de casnicie a adus multa
 suferinta si lacrimi. Daonimile de durice
 nic nsa u seccit a urmat o alta tragedie
 a decedat tanosul meu cel mare tanumai
 39 de ani. Domnule Judecator o mama
 indurata si plange sotul si tanosul
 decedat, dar mai ales pe tanosul meu cel mic
 loc. distat de parte de mine. Am tanos
 50gata, bolnav de depresie severa, de bolide
 inima, tensiune mare si fii eu glaucom
 tiroida, sunt neajutorata, nu am primen
 in afara de el. Ie Judecator cand m-ai
 in bunatatea si intelegerea. Prezentei
 memorii anexe2 certificatele de deces

de celor dragi prieten si asociați
medicali, la testele, arthritice, mea
păcarea de sănătate. Il vreau deosebi
pe bărbatul meu. Cu mult, min și

skmā

Amly

Translation from Romanian

Supplier name: M&N MEDYSERV SRL / ANEXA 23
Physician: LADAY NEMESABRIEL
Contract/convention no.: 143/1
Insurance office: CIVIS MURES
(Societate M&N MEDYSERV SRL Trading Company, Timisoara)

MEDICAL LETTER

Dear colleague,

We hereby inform you that the patient **ESIKI LIVIA**, born on March 2, 1957, with personal identification number 252036224367 has been examined in our medical unit on November 18, 2019 with no. ... in the Medical Examination Register no. 2607

Reasons for coming to the medical centre:

Instant crying, depressed mood, anhedony, psychomotor anxiety, depressive micromanic ideas of uselessness, impatience, decrease of the global capacity, amnesic and prosoxic disorders, tracking ideas, paranoid ideas, intermittently sleeping disorders.

Diagnosis:

332 - Non-organic sleeping disorders

321 - Moderate/severe depressive episode

Medical history: No psychiatric records up to present.

Risk factors: Situational (the decease of husband and son)

Clinical Examination:

- General: -

- Local: -

Laboratory: normal values,
pathological values

Paraclinical exams

EKG

ECO

Rx

Others:

Treatment performed:

Other information regarding the state of health of the insured person:

Prescribed treatment:

Relaxium 3x1, Sedanil PC 0.0.1

Balanced life regime

Avoidance of emotional tensional states and toxic consumption of any kind

Psychiatric control if necessary

Transcribed from ROMANIA

S.C. NOVA VITA HOSPITAL S.A.

NOVA VITA - MEDICAL CENTER

540023 To-Mures, no. 29/A Liviu Rebreanu street, Mures County

Phone/Facsimile: 0265-226112/162

www.nova-vita.ro; office@nova-vita.ro

No. of registration in the Register of Companies: J28/984/2008

Taxpayer Identification Number 23958592

IBAN: RO92BRDE2706V70241102700 BRD To-Mures

Registered capital: 27.297.890 RON

Personal data operator no. 16968

No. of CAS (Health Insurance Authority) Agreement: 18/173

MEDICAL LETTER

Dear colleague,

We hereby inform you that the patient **CSIKI LIVIA**, aged 67 years, has been examined in our medical unit on December 17, 2019 with no. 1936 in the Medical Examination Register no. 14843.

Reasons for coming to the medical center: precordial / retrosternal pains with sensation of tightness, started without any connection with the physical effort, for over a few years, especially during the nights in repose when blood pressures is higher, with palpitations.

Diagnosis: 2nd degree blood pressure, with high cardiovascular risk. Intricate angina pectoris with blood pressure spikes. Mild mitral insufficiency. Obesity. Cholecystectomy. Mixed dyslipidemia. Hepatic steatosis. Varicose veins in lower limbs. Hypothyroidism. Anxious depressive disorder. Mourning depression.

Medical history: Risk factors: high blood pressure, dyslipidemia, weight excess.

Clinical Examination:

Local: rhythmic cardiac sounds, normal beating, no pathologic heart blow, no blows on the carotid arteries.

Paraclinic exams:

EKG: RS, 88/min, QRS axis on the left, discrete (prevalent) old stenosis, 0.5mm in DI, DII, V2-V6, flattened T wave in DII (similar as from 01.12.2017).

Echocardiography: attached report, conclusions: normal cardio-vascular echocardiography.

Cardiovascular effort test: made in December 2019, submaximal, reaching up to 87%, negative coronary, exaggerated pressor reaction.

CERTIFICAT DE DECES

15.10.2019

TARGU MURES

PRIVIND DECEDATUL

No. Numeric Personal:

100 6 005 001 20190

Numele persoanei decedate: SAVA ANDREI N. N.

Numele de familie	CESTKI	Localitatea/Localitate	MURES
Prenumele	SEARA SANDOR	Localitatea/Localitate	MURES
Data naşterii	1980	Localitatea/Localitate	MURES
Localitatea/Localitate	TIRGO MURES	Localitatea/Localitate	MURES
Localitatea/Localitate	PANET	Localitatea/Localitate	MURES
Data decesului	2019 10 13	Localitatea/Localitate	MURES
Localitatea/Localitate	TARGU MURES	Localitatea/Localitate	MURES

DATE PRIVIND PARINTII

Datele conţinut în acest certificat sunt corecte.

TATA	Numele de familie	CESTKI	Localitatea/Localitate	MURES
Prenumele	Prenumele	ANDREI	Localitatea/Localitate	MURES
MAMA	Numele de familie	CESTKI	Localitatea/Localitate	MURES
Prenumele	Prenumele	LIVIA	Localitatea/Localitate	MURES

Act de deces nr.

2610

15 octombrie 2019

Inregistrare

TARGU MURES

MURES

Municipal

(Localitatea/Amploasa/Localitatea)

(Localitatea/Amploasa/Localitatea)

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

MURES

Municipal

TARGU MURES

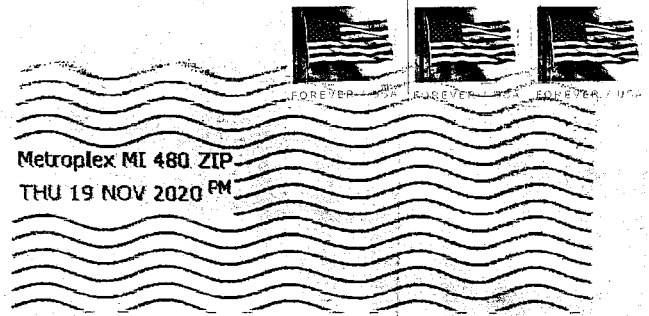
MURES

Municipal

TARGU MURES

MURES

St. Clair County Jail
LAG2LO CSIKI
1170 Michigan Rd.
Port Huron, MI
48060



Clerk's Office
United States District Court
Theodore Levin US Courthouse
231 W. Lafayette Blvd.
Detroit, MI 48226

11/19/20
RECEIVED
DEC - 2 2020
CLERK'S OFFICE
U.S. DISTRICT COURT

U.S. MARSHAL

Mail originates from
St. Clair County Jail